IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

THURSDAY, THE 14TH JUNE 2007 / 24TH JYAISHTA 1929

WP(C).No. 12514 of 2007(M)

PETITIONERS:

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1. **BHAVYA M.JOSE - MINOR, REPRESENTED BY NEXT FRIEND AND GUARDIAN, CICILY JOSE, MUTHUPEEDIKA HOUSE, ANJERI P.O., THRISSUR DISTRICT.**

2. **JASMI K.JOHNSON, MINOR, REPRESENTED BY NEXT FRIEND AND GUARDIAN, MERCY JOHNSON, KANJIRATHINGAL HOUSE, ERAVIRANGALAM P.O., NEAR BRUSH CO. THRISSUR DISTRICT.**

3. **VINI SARA PUAL, - MINOR, REPRESENTED BY NEXT FRIEND AND GUARDIAN, JALINA C.PAUL, CHIRAVALLUR HOUSE, NELLIKUNNU, THRISSUR DISTRICT.**

4. **JESVIN JOY - MINOR, REPRESENTED BY NEXT FRIEND AND GUARDIAN, JOY JOSEPH, KOLAPPALIYIL HOUSE, CHELAKKOTTUKARA, THRISSUR DISTRICT.**

5. **PANCHAMI ARAVINDAKSHAN, - MINOR, REPRESENTED BY NEXT FRIEND AND GUARDIAN O.R.ARAVINDAKSHAN, OTTILOTH HOUSE, NELLIKUNNU, THRISSUR DISTRICT.**

6. **ATHIRA SUGATHAN K. - MINOR, REPRESENTED BY NEXT FRIEND AND GUARDIAN, SUGATHAN K., 'DEVI NILAYAM', P.O.CHERUKULATHOOR, CALICUT DISTRICT.**

W.P.(C). NO.12514/2007:

7. ARATHI.P., MINOR,
REPRESENTED BY NEXT FRIEND AND GUARDIAN,
BABU P., ARATHI NIVAS, PAYYADIMEETHEL,
P.O.PANTHEERANKAVU, KOZHIKODE DISTRICT.

BY ADV. SRI.JIJO PAUL,
SRI.BABU S. NAIR,
SRI.A.RANJITH NARAYANAN,
SRI.S.K.SAJU.

RESPONDENTS:
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1. THE NATIONAL COMMISSIONER,
BHARAT SCOUTS AND GUIDES, NATIONAL HEADQUARTERS,
LAXMI MAZUMDAR BHAWAN 16, MAHATMA GANDHI MARG,
INDRAPRASTHA ESTATE, NEW DELHI 110002.

2. STATE ORGANIZING COMMISSIONER (GUIDES)
KERALA STATE BHARAT SCOUTS AND GUIDES,
STATE HEAD QUARTERS, POST VIKAS BHAWAN,
TRIVANDRUM - 33.

3. STATE SECRETARY,
KERALA STATE BHARAT SCOUTS AND GUIDES
STATE HEAD QUARTERS, POST VIKAS BHAWAN,
TRIVANDRUM - 33.

4. THE DEPUTY DIRECTOR (GIRL PROGRAMME),
BHARAT SOCUTS AND GUIDES,
NATIONAL HEAD QUARTERS,
LAXMI MAZUMDAR BHAWAN, 16, MAHATMA GANDHI MARG,
INDRAPRASTHA ESTATE, NEW DELHI 110002.

5. THE ASSISTANT DIRECTOR
(LEADER OF THE CAMP),
SOUTHERN REGIONAL HEAD QUARTERS,
NO.39, PALACE ROAD, SHANTI GRUHA,
BANGALORE.

BY ADV. SRI.SAIGI JACOB PALATTY, CGC.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/06/2007, ALONG WITH W.P.(C). NO. 13087/2007 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.12514/2007:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE APPLICATION FORM SUBMITTED BY THE P.1. FOR NATIONAL LEVEL RASHTRAPATI RANK EXAMINATIONS.

EXT.P.2: COPY OF THE APPLICATION FORM SUBMITTED BY THE P.2. FOR NATIONAL LEVEL RASHTRAPATI RANK EXAMINATIONS.

EXT.P.3: COPY OF THE APPLICATION FORM SUBMITED BY THE P.3. FOR NATIONAL LEVEL RASHTRAPATI RANK EXAMINATIONS.

EXT.P.4: COPY OF THE APPLICATION FORM SUBMITTED BY THE P.4. FOR NATIONAL LEVEL RASHTRAPATI RANK EXAMINATIONS.

EXT.P.5: COPY OF THE APPLICATIONS FORM SUBMITTED BY THE P.5. FOR NATIONAL LEVEL RASHTRAPATI RANK EXAMINATIONS.

EXT.P.6: COPY OF THE APPLICATION FORM SUBMITTED BY THE P.6 FOR NATIONAL LEVEL RASHTRAPATI RANK EXAMINATIONS.

EXT.P.7: COPY OF THE APPLICATION FORM SUBMITED BY THE P.7 FOR NATIONAL LEVEL RASHTRAPATI RANK EXAMINATIONS.

EXT.P.8: COPY OF THE ORDER ISSUED BY THE R.4, REJECTING THE APPLICATIONS FOR THE PETITIONERS.

EXT.P.9: COPY OF THE LIST SHOWING THE NUMBER OF PARTICIPANTS FROM EACH STATE FOR THE RASHTRAPATHY RANK EXAMINATION, 2005 AND THE OTHER DETAILS THEREOF.

EXT.P.10: COPY OF THE LETTER ADDRESSED BY THE STATE CHIEF COMMISSIONER, KERALA STATE BHARATH SCOUTS AND GUIDES NO. RP (S) & (G)/2006/BSG DTD. 22/02/2007.

EXT.P.11: COPY OF THE ORDER DTD. 04/04/2007 IN W.P.(C). NO. 11849/2007 OF THIS HONOURABLE COURT.

//TRUE COPY//

prv.

S. SIRI JAGAN, J.

WP(C) No. 12514 OF 2007

Dated this the 11th day of April, 2007

O R D E R

Notice by speed post. In this writ petition, the petitioners- Scouts and Guides seek direction to the respondents to permit the petitioners to appear for the Rashtrapathy Rank Examination for Guides in any subsequent camp that shall be organised by the respondents. The same has been denied on the ground that there were some mistakes in the applications submitted by the students, who are studying in schools.

2. In the facts and circumstances of the case, I am inclined to pass an interim order to the following effect:-

The petitioners in this writ petition would be permitted to appear for the Rashtrapathy Rank Examination for Guides scheduled to be held at Thiruvananthapuram. I further direct that if the number of students, who are permitted to undergo the examination exceeds the number fixed by the respondents for one camp, the respondents shall permit the petitioners to undergo the examination in different batches. I make this

order because the learned counsel for the petitioners points out that in earlier orders when the number of Scouts and Guides exceeded the number fixed by the respondents for one camp, the respondents had in fact conducted the examination in different batches.

S. SIRI JAGAN,
Judge

Mbs/

Hand over the order.

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:13-02-2007